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8 UNITED STATES BANKRUPTCY COURT
9 EASTERN DISTRICT OF WASHINGTON

10 In re:

11 ICAP ENTERPRISES, INC., 12 Debtor.	Chapter 11 Proposed Lead Case No. 23-01243-11
13 ICAP PACIFIC NW MANAGEMENT, LLC, 14 Debtor.	Chapter 11 Case No. 23-01261-11
15 ICAP VAULT MANAGEMENT, LLC, 16 Debtor.	Chapter 11 Case No. 23-01258-11
17 ICAP VAULT, LLC, 18 Debtor.	Chapter 11 Case No. 23-01256-11
19 ICAP VAULT 1, LLC, 20 Debtor.	Chapter 11 Case No. 23-01257-11

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25 REVISED ORDER GRANTING DEBTORS' *EX*
26 *PARTE* MOTION FOR ENTRY OF ORDER: (I)
LIMITING SCOPE OF NOTICE; AND (II)
AUTHORIZING SERVICE TO INVESTORS BY
EMAIL; AND (III) GRANTING RELATED RELIEF -

BUCHALTER
1420 FIFTH AVENUE, SUITE 3100
SEATTLE, WA 98101-1337
TELEPHONE: 206.319-7052

1	VAULT HOLDING 1, LLC,	Chapter 11
2	Debtor.	Case No. 23-01265-11
3		
4	ICAP INVESTMENTS, LLC,	Chapter 11
5	Debtor.	Case No. 23-01255-11
6		
7	ICAP PACIFIC NORTHWEST	Chapter 11
8	OPPORTUNITY AND INCOME	Case No. 23-01248-11
9	FUND, LLC,	
10	Debtor.	
11		
12	ICAP EQUITY, LLC,	Chapter 11
13	Debtor.	Case No. 23-01247-11
14		
15	ICAP PACIFIC INCOME 4 FUND,	Chapter 11
16	LLC,	Case No. 23-01251-11
17	Debtor.	
18		
19	ICAP PACIFIC INCOME 5 FUND,	Chapter 11
20	LLC,	Case No. 23-01249-11
21	Debtor.	
22		
23	ICAP NORTHWEST OPPORTUNITY	Chapter 11
24	FUND, LLC,	Case No. 23-01253-11
25	Debtor.	
26		
	725 BROADWAY, LLC,	Chapter 11
	Debtor.	Case No. 23-01245-11
	SENZA KENMORE, LLC	Chapter 11
	Debtor.	Case No. 23-01254-11

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1	ICAP CAMPBELL WAY, LLC,	Chapter 11
2	Debtor.	Case No. 23-01250-11
3		
4	UW 17TH AVE, LLC,	Chapter 11
5	Debtor.	Case No. 23-01267-11
6		
7	ICAP BROADWAY, LLC,	Chapter 11
8	Debtor.	Case No. 23-01252-11
9		
10	VH 1121 14TH LLC,	Chapter 11
11	Debtor.	Case No. 23-01264-11
12		
13	VH SENIOR CARE LLC,	Chapter 11
14	Debtor.	Case No. 23-01266-11
15		
16	VH WILLOWS TOWNHOMES LLC,	Chapter 11
17	Debtor.	Case No. 23-01262-11
18		
19	ICAP @ UW, LLC,	Chapter 11
20	Debtor.	Case No. 23-01244-11
21		
22	VH 2ND STREET OFFICE LLC,	Chapter 11
23	Debtor.	Case No. 23-01259-11
24		
25	VH PIONEER VILLAGE LLC,	Chapter 11
26	Debtor.	Case No. 23-01263-11

REVISED ORDER GRANTING DEBTORS' *EX PARTE* MOTION FOR ENTRY OF ORDER: (I) LIMITING SCOPE OF NOTICE; AND (II) AUTHORIZING SERVICE TO INVESTORS BY EMAIL; AND (III) GRANTING RELATED RELIEF -

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1	ICAP FUNDING LLC	Chapter 11
2	Debtor.	Case No. 23-01246-11
3		
4	ICAP MANAGEMENT LLC	Chapter 11
5	Debtor.	Case No. 23-01268-11
6		
7	ICAP REALTY, LLC	Chapter 11
8	Debtor.	Case No. 23-01260-11
9		
10	VAULT HOLDING, LLC,	Chapter 11
11	Debtor.	Case No. 23-01270-11
12		
13	ICAP PACIFIC DEVELOPMENT	Chapter 11
14	LLC,	Case No. 23-01271-11
15	Debtor	
16		
17	ICAP HOLDING LLC,	Chapter 11
18	Debtor.	Case No. 23-01272-11
19		
20		
21	ICAP HOLDING 5 LLC,	Chapter 11
22	Debtor.	Case No. 23-01273-11
23		
24		
25	ICAP HOLDING 6 LLC,	Chapter 11
26	Debtor.	Case No. 23-01274-11
		REVISED ORDER GRANTING DEBTORS' <i>EX PARTE</i> MOTION FOR ENTRY OF ORDER (I) LIMITING SCOPE OF NOTICE, AND (II) AUTHORIZING SERVICE TO INVESTORS BY EMAIL; AND (III) GRANTING RELATED RELIEF

REVISED ORDER GRANTING DEBTORS' *EX PARTE* MOTION FOR ENTRY OF ORDER: (I) LIMITING SCOPE OF NOTICE; AND (II) AUTHORIZING SERVICE TO INVESTORS BY EMAIL; AND (III) GRANTING RELATED RELIEF -

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1 Upon the motion [ECF 3] and supplement [ECF 5] thereto (collectively, the
2 “Motion”)¹ of the above-captioned debtors and debtors in possession (the “Debtors”)
3 pursuant to Federal Rules of Bankruptcy Procedure 2002 and 9007, section 105 of
4 Title 11 of the United States Code, and Rule 2002-1 of the Local Rules of the United
5 States Bankruptcy Court for the Eastern District of Washington, for an order:
6 (i) limiting the scope of notice; (ii) authorizing service to Investors by email; and
7 (iii) granting related relief, all as more fully set forth in the Motion; and upon
8 consideration of the Miller Dec.; it further appearing that the court has jurisdiction
9 over this matter; and it further appearing that the relief requested in the Motion is in
10 the best interests of the Debtors, their estates, and their creditors; and good cause
11 appearing therefor,

12 **IT IS HEREBY ORDERED** that the Motion is granted.

13 **IT IS FURTHER ORDERED** that the Limited Mailing List is approved and
14 shall include the following entities:

- 15 (i) The Office of the United States Trustee;
- 16 (ii) Counsel to any committee appointed in these Chapter 11 Cases;
- 17 (iii) The Debtors’ creditors holding the thirty (30) largest unsecured claims
18 via email, as set forth below;
- 19 (iv) The DIP lender and counsel thereto;
- 20 (v) All secured creditors and counsel thereto;
- 21 (vi) The Internal Revenue Service;
- 22 (vii) The United States Securities and Exchange Commission;
- 23 (viii) The Office of the United States Attorney General for the District of
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25 ¹ Capitalized terms used but not defined herein have the meanings ascribed to them in the Motion.
26 **REVISED ORDER GRANTING DEBTORS’ EX**
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- 1 Washington;
- 2 (ix) Applicable state taxing authorities;
- 3 (x) Parties who file and serve on counsel for the Debtors requests for special
- 4 notice or service of papers;
- 5 (xi) Any party directly affected by a particular motion; and
- 6 (xii) Any other parties that the Court may direct.

7 **IT IS FURTHER ORDERED** that the service upon the Limited Mailing List

8 constitutes adequate notice except as it pertains to the following matters:

- 9 (i) The initial meeting of creditors and any continued or additional
- 10 meetings of creditors pursuant to section 341(a) of the Bankruptcy
- 11 Code;
- 12 (ii) The time fixed for filing proofs of claim;
- 13 (iii) The time fixed for filing objections to, and the hearing to consider,
- 14 approval of any proposed disclosure statement;
- 15 (iv) The time fixed for filing objections to, and the hearing to consider,
- 16 confirmation of any proposed plan of reorganization;
- 17 (v) The time fixed for accepting or rejecting a proposed modification of a
- 18 plan of reorganization; and
- 19 (vi) Any other proceedings for which the Court orders further notice.

20 **IT IS FURTHER ORDERED** that, subject to the following conditions, the

21 email service procedures outlined in the Motion are approved:

- 22 (i) The Debtors must include, in the Notice of Commencement of these
- 23 Chapter 11 Cases, specific notice of the entry of this Order approving
- 24 the Motion, and instruct parties that they may view a copy of the order

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1 on the website of the Debtors' claims agent,
2 <https://cases.creditorinfo.com/iCap>.

3 (ii) The Debtors must file the final Notice of Commencement on the docket
4 of these Chapter 11 Cases, as well as have their claims agent post the
5 Notice of Commencement on the website.

6 (iii) The Debtors must serve the Notice of Commencement on all parties in
7 interest, including all Investors, by mail, except the Investors for whom
8 the Debtors do not have mailing addresses. The Debtors must also
9 serve all Investors with the Notice of Commencement via email. The
10 Debtors must file a certificate of service confirming same.

11 (iv) The Debtors may serve all subsequent notices and documents on the
12 Investors (either pursuant to the MML or LML, as applicable) by email,
13 unless: (a) the Debtors are unable to serve an Investor by email with the
14 Notice of Commencement, or any other document (*e.g.*, the email is
15 returned or described as undeliverable); or (b) the Debtors receive from
16 an Investor in writing (via mail, email, or request for notice filed in the
17 Chapter 11 Cases) a request for service by mail. In either such case,
18 the Debtors must serve all notices to such Investor by mail.

19 **IT IS FURTHER ORDERED** that the court shall, and hereby does, retain
20 jurisdiction with respect to all matters arising from or related to the implementation
21 and interpretation of this order.

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IT IS FURTHER ORDERED that the Debtors shall serve a copy of this order: (i) upon all Investors by email; and (ii) upon all other parties in interest by mail.

///End of Order///

PRESENTED BY:

/s/ Dakota Pearce

DAKOTA PEARCE (WSBA 57011)

BERNARD D. BOLLINGER, JR. (*pro hac vice* pending)

JULIAN I. GURULE (*pro hac vice* pending)

KHALED TARAZI (*pro hac vice* pending)

BUCHALTER, a Professional Corporation

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